

COMMISSION MEETING**7:00 P.M.****DECEMBER 18, 2019**

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, December 18, 2019, in the City Commission Meeting Room with Mayor Geitz presiding and Commissioners Giefer, Gilligan, Mlynar and Smith present. Also present were City Manager McAnarney, Assistant City Manager Massey, City Clerk Sull and City Attorney Montgomery.

MAYOR AND CITY COMMISSIONERS REPORTS AND COMMENTS

This is the time for the Mayor and City Commissioners to make comments and reports to the public. **The following is general information for the month of November for the community:**

1. Monthly Local Retail Sales Tax Receipts Update

	2018	2019	
	\$374,322.22	\$436,960.97	Increase of \$62,638.75 for the month, and
			Overall increase of 2.50% from year 2018
YTD	\$4,436,332.55	\$4,547,454.89	

2. City Share from County Tax

	2018	2019	
	\$ 186,558.68	\$225,954.64	Increase of \$39,395.96 for month, and
			Overall increase of 3.26% from year 2018
YTD	\$2,188,558.55	\$2,259,963.69	

3. Building Permits issued from 11/1/2019 to 11/30/2019 for new construction, remodeling, repairs and demolition.

Total number of building permits issued through Code Services:	51
Total of valuations associated with those building permits:	\$ 444,327.00
Total number of dollars collected for Building Permit Fees:	\$ 4,149.00
Construct - single family dwellings	1
Demo - single family dwellings	1

Flint Hills Mall CID for November	\$ 14,421.72
Year to Date Total	\$ 182,533.38

Consent Agenda

It was moved by Commissioner Giefer, seconded by Commissioner Mlynar that the Consent Agenda listed below be ratified as a whole:

- Consider minutes of the Regular Meeting held on December 4, 2019.
- Consider ratification of Payroll Ordinance for the period ending on December 6, 2019.
- Consider the Approval of November Budget.
- Consider Approval of Authorization Letter for Emporia-Kansas.gov domain.

The vote follows: Commissioner Giefer, aye; Commissioner Mlynar, aye; Commissioner Gilligan, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

**CITY COMMISSION
(Public Comment)**

This is the time for the public to make comments. No comments were made at this time.

**CITY COMMISSION
(Board Appointment)**

Community Housing Board/Emporia Land Bank:

It was moved by Commissioner Mlynar, seconded by Commissioner Smith that Clint Shown be appointed to the Community Housing Board/Emporia Land Bank for a term that expires on December 31, 2022. The vote follows: Commissioner Mlynar, aye; Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; and Mayor Geitz, aye.

**EMPORIA PUBLIC LIBRARY
(Maintenance Contract for 2020)**

City Manager McAnarney stated the City of Emporia provides cleaning and maintenance service for the Emporia Public Library. Employees from the City Building Maintenance Department provide these services for the Emporia Public Library. The Emporia Library Board has approved the agreement subject to approval by the City. The contract is basically the same as the previous year. He stated staff recommends the 2020 Maintenance Agreement be approved for the amount of \$39,158.97.

Commissioner Gilligan made a motion to approve the 2020 Maintenance Agreement with the Emporia Public Library in the amount of \$39,158.57. Commissioner Smith seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; and Mayor Geitz, aye.

ENGINEERING
(Kansas Department of Health and Environment)
(Approve Access to Property Agreement-Assessment)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the Kansas Department of Health and Environment (KDHE) will be conducting an assessment and/or subsurface investigation of property at or nearby 1829 Merchant Street, which will require them to bore and/or drill holes to collect soil, water and air samples. He stated direct-push probe equipment will be used to collect samples. Subject property will be restored, as nearly as reasonable possible, to the condition it was in at the time this Access to Property Agreement was executed. He stated staff was recommending Approval of the Access to Property Agreement-Assessment and authorize the Mayor to sign the agreement.

Following further discussion, Commissioner Smith made a motion to approve the Agreement with Kansas Department of Health and Environment for Access to Property Agreement and authorize the Mayor to sign the agreement. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; Commissioner Mlynar, aye; and Mayor Geitz, aye.

CITY COMMISSION
(Design and Engineering Contract with BG Consultants)
(Waterline Replacement - 12th Avenue - Grant St. To Constitution St.)

Dean Grant, PWC Director, was recognized and addressed the Governing Body. He stated the waterline on 12th Avenue has been prioritized for replacement, from Grand Street to Constitution Street, in the State Revolving Fund (SRF) loan that the city was approved for this year. The waterline is currently a 16-inch pipe, however, it will be designed as a 20-inch pipe to better serve the city distribution system. He stated BG Consultants will design the project so that all piping currently under pavement on 12th Avenue will be replaced and relocated from underneath 12th Avenue, so that future paving will not be disturbed due to leaks, or line replacement in connecting streets. He stated the cost for the design and engineering services is \$210,519.00 and the budgeted amount for this

project is \$2,805,000.00. He stated if BG Consultants is awarded the contract for design and engineering, it would take approximately three (3) months to design. Plans would be forwarded to KDHE for approval before the project could be ready to bid. He stated staff is recommending approval of the design and engineering contract to BG Consultants in the amount of \$210,519.00 for the 12th Avenue waterline.

Commissioner Giefer made a motion to approve the Design and Engineering Contract with BG Consultants for the 12th Avenue Waterline in the amount of \$210,519.00. Commissioner Smith seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Smith, aye; Commissioner Gilligan, aye; Commissioner Mlynar, aye; and Mayor Geitz, aye.

**BOUNDARY
(Resolution Number 3624)**

City Manager McAnarney stated every year the City is required to pass a resolution declaring the entire boundary of the City. He stated there was 3.92 acres annexed into City limits for 2019. The total acres in the entire boundary of the City is 7763.95 acres or 12.13 square miles.

Commissioner Gilligan made a motion approving Resolution Number 3624, a resolution establishing the city boundary lines. Commissioner Smith seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; and Mayor Geitz, aye.

**CITY COMMISSION
(Riverside District and Cresthill District)
(Establish Two Rural Housing Incentive Districts)
(Resolution Number 3625)**

Jim Witt, Special Project Manager, was recognized and addressed the Governing Body. He stated this resolution is the first step in the process of establishing the Riverside District and Cresthill District Rural Housing Incentive Districts (RHID). Riverside Court is south of Riverside school and Cresthill is adjacent to the Hidden Lakes Subdivision. The resolution includes the mandated Development Plan and supporting documents. The adoption of the resolution sets forth a date for a required public hearing

and notification of other taxing entities impacted.

Commissioner Gilligan made a motion approve Resolution Number 3625, a resolution establishing two Rural Housing Incentive Districts for Riverside District and Cresthill District. Commissioner Giefer seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

**BUDGET
(2019 Budget Amendments)
(Public Hearing)
(Ordinance Number 19-36)**

AN ORDINANCE AMENDING THE 2019 BUDGET, to which the City Clerk assigned Ordinance Number 19-36, was presented to the Governing Body for their consideration.

Janet, Harrouff, Director fo Administrative Services, was recognized and addressed the Governing Body. She stated a public hearing will need to be conducted to amend the 2019 Budget to increase spending authority and an ordinance authorizing the increases. The 2019 Budget amendments are as follows:

Multi-Year Fund - Increase budget authority to \$3,894,352 due to cash carryover from 2018 was \$1,500,000 more than budgeted. This was due to not all budgeted projects being completed.

Bond & Interest Fund - Increase budget authority to \$2,984,416 due to \$600,000 being paid out of B&I for a water fund bond payment. This was due to excess funds from the raw water line installment project being put into B&I when the project was closed.

Library Fund - Increase budget authority to \$915,965 due to property tax, delinquent tax and motor vehicle collections coming in higher than budgeted.

Mayor Geitz then declared the public hearing opened.

As no one in attendance wished to address the Governing Body, Mayor Geitz then declared the public hearing closed.

Commissioner Giefer made a motion to approve Ordinance 19-36, an ordinance amending the 2019 Budget. Commissioner Mlynar seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Mlynar,

aye; Commissioner Gilligan, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

**CITY COMMISSION
(Reschedule Regular Commission Meeting)**

City Manager McAnarney stated the next regular Commission Meeting is Wednesday, January 1, 2020. He stated that is New Year's Day and city offices are closed staff was recommending rescheduling the commission meeting to Wednesday, January 8, 2020 at regular time of 1:30 p.m.

Commissioner Gilligan made a motion to reschedule the next regular commission meeting to Wednesday, January 8, 2020 at 1:30 p.m. due to New Year's Day Holiday. Commissioner Smith seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; and Mayor Geitz, aye.

**CITY COMMISSION
(City Manager's Report)**

This is a verbal report that announces upcoming events, recognizes employees for outstanding contribution and provides the public information that may be of a general interest. The following information was presented at the meeting:

At the time this Agenda was prepared, the following items were in the works:

TENTATIVE AGENDA FOR JANUARY 8TH STUDY SESSION

Discuss 2020 Legislative Policies.

Lift Station #1.

Annual Update on Land Bank.

Discuss Water System Model.

No Luncheon

EXECUTIVE SESSION

Commissioner Gilligan made a motion to adjourn into Executive Session for preliminary discussion relating to the acquisition of real property, and to invite City Attorney Montgomery, from 7:21 p.m. to 7:31 p.m., in the City Conference Room. Commissioner Giefer seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

Upon reconvening the meeting in Regular Session, a 7:31 p.m., this same date, in the City Conference Room, Mayor Geitz stated they had discussed acquisition of real property action was taken as follows:

Commissioner Gilligan made a motion to authorize the Mayor to sign a Letter or Intent consenting to the transfer of Gerald Waddell's lease and hangar at the Emporia Municipal Airport to the Emporia Community Foundation and approve the purchase of the building from the Emporia Community Foundation for \$122,500.00. Commissioner Mlynar seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Mlynar, aye; Commissioner Giefer aye; Commissioner Smith, aye; and Mayor Geitz, aye.

Mayor Geitz recognized Commissioner Bobbi Mlynar for serving on the City of Emporia Commission. The Commission thanked her for her commitment, dedication and genuine caring for the community to serve on the Commission for the past 8 years. She will truly be missed by all.

Commissioner Mlynar then made a motion to adjourn. Commissioner Smith seconded the motion. The vote follows: Commissioner Mlynar aye; Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; and Mayor Geitz, aye.

Jon Geitz, Mayor

ATTEST:

Kerry Sull, City Clerk